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SUITE 910	(III EIIOE		ART UNIT	PAPER NUMBER
NEW YORK, NY 10017			2622	
			DATE MAILED: 04/25/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	09/664,969	ANTONACCI ET AL.				
Office Action Summary	Examiner	Art Unit				
	CHAN S PARK	2622				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, however, may a reply be timed within the statutory minimum of thirty (30) days will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 13 De	ecember 2004.					
	action is non-final.					
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims						
 4) Claim(s) 1-52 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) Claim(s) is/are allowed. 6) Claim(s) 1-52 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or 	vn from consideration.					
Application Papers						
9) The specification is objected to by the Examine	r.					
10) The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.						
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correction 11) The oath or declaration is objected to by the Ex						
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority documents 2. Certified copies of the priority documents 3. Copies of the certified copies of the prior application from the International Bureau * See the attached detailed Office action for a list of	s have been received. s have been received in Application ity documents have been received (PCT Rule 17.2(a)).	on No ed in this National Stage				
Attachment(s)	_					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	4) Interview Summary Paper No(s)/Mail Da					
2) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date		atent Application (PTO-152)				

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DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/13/04 has been entered.

Response to Amendment

2. Applicant's amendment was received on 12/13/04, and has been entered and made of record. Currently, **claims 1-52** are pending.

Response to Arguments

3. Applicant's arguments with respect to claims 1-52 have been considered but are most in view of the new grounds of rejection.

Claim Objections

4. Claim 1 objected to because of the following informalities:

Line 8, "facsimile device" should be – facsimile devices --;

Line 9, "facsimile device" should be - facsimile devices --

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Lloyd et al. U.S. Patent No. 6,779,178 (hereinafter Lloyd).

5. With respect to claim 1, Lloyd discloses a system (fig. 2) comprising:

means for receiving information from a plurality of facsimile devices (client site 210 in fig. 2 & col. 8, lines 60-65), said facsimile devices configured to transmit a facsimile image of an original document (signature form) along with a separate facsimile form having a coded information (barcode form) thereon, said coded information used to associated said original document with an account (col. 6, lines 21-30 & col. 8, lines 21-23);

means for communicating with an interactive user device (client computer 212 in fig. 3); and

a processor coupled to said interactive user device via Internet (col. 8, lines 14-15) and to said facsimile devices via a PSTN (col. 8, lines 21-23), wherein said processor (e-mail customization system 220) is further configured to receive from said facsimile devices a transmission of said facsimile image of said

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original document and said separate facsimile form, said processor configured to store said facsimile image of said original document in said account associated with said coded information on said separate facsimile form (col. 6, lines 60-63) and to provide to an authorized user of said interactive user device, upon request at any time, access to said facsimile image of said original document from said account associated with said coded information (col. 16, lines 30-52).

Read col. 19, lines 60-63.

6. With respect to claim 21, Lloyd teaches a method comprising the steps of: transmitting with a facsimile device (client site 210 in fig. 2) a facsimile image of an original document (signature form) along with a separate facsimile form having a coded information (barcode form) thereon, said coded information being used to associate said original document with an account to a processor (e-mail customization system 220) via a PSTN (col. 8, lines 21-23):

receiving at said processor said transmission of facsimile image of said original document and said separate facsimile form (col. 6, lines 60-63);

storing at said processor said facsimile image of said original document in said account associated with said coded information on said separate facsimile form (col. 6, lines 60-63); and

providing said facsimile image of said original document from said account associated with said coded information to an authorized user via Internet at said interactive user device in response to a request received at any time therefrom (col. 16, lines 30-52).

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Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2, 3, 33, 23, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd as applied to claim 1 above, and further in view of Kara U.S. Patent No. 6,088,695.

7. With respect to claim 2, Lloyd discloses the system according to claim 1, but it does not disclose expressly that said information material is a medical record.

Kara, the same field of endeavor of the secure network transmission, discloses a system (fig. 1, #10) comprising:

a processor (#120) comprising;

means for receiving a medical record from a device (#124);

means for receiving a telephone call from a telephone, wherein said processor is coupled to said device and to said telephone (#125) via a public-switched telephone network (#172), wherein said processor is configured to receive from said device a transmission of a code associated the medical record (#100C), and, upon a request received via said telephone, to transmit said code-associated the medical record to a user designated facsimile device (col. 5, line

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58 – col. 6, line 15), wherein only the authorized user can access the medical information for the security purpose (col. 9, lines 49-52).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the system for transmitting the medical record taught by Kara with the facsimile image data retrieval system of Lloyd.

The suggestion/motivation for doing so would have been to fax a medical image data to a central storage for a later retrieval by an authorized user.

Therefore, it would have been obvious to combine Lloyd with Kara to obtain the invention as specified in claim 2.

8. With respect to claim 3, Kara discloses the system wherein said coded-information material comprises a medical record having a barcode associated therewith (fig. 1, 100A to 100B; col. 2, lines 43-44; and col. 4, lines 48-50).

Further, read col. 6, lines 21-30 of Lloyd.

- 9. With respect to claim 22, arguments analogous to those presented for claim 2, are applicable.
- 10. With respect to claim 23, arguments analogous to those presented for claim 3, are applicable.
- 11. With respect to claim 51, Kara discloses the system further comprising a second coded information, corresponding to a second account in said processor, whereby said same facsimile image of said original document is stored in said account associated with said coded information and said second account associated with said second coded information (col. 5, lines 24-40). As set forth above, the system of Kara provides the confidentiality by verifying that the

requesting site is authorized to access the specific (medical) information (col. 9, lines 49-52). Since the technician in the emergency room has the authorization to access the medical information, it is noted that the medical record can be access by a user with a different/second account.

12. With respect to claim 52, Kara discloses the system wherein said second account associated with said second coded information is separate from said account associated with said coded information, each of said accounts having different authorization codes (col. 5, lines 24-40). Again, since the technician in the emergency room has the authorization to access the medical information, it is noted that the medical record can be access by a user with a different/second account.

Claims 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Lloyd and Kara as applied to claim 3 above, and further in view of Lake et al. GB Patent No. 2,244,625A (hereinafter Lake).

13. With respect to claim 4, the combination of Lloyd and Kara discloses the system of claim 3, but it does not disclose expressly that said code-associated information material comprises a fax cover sheet having said barcode printed thereon.

Lake, the same field of endeavor of the facsimile transmission, teaches utilizing a simple sheet of barcodes and putting one on a cover sheet (page 5, lines 1-6) before being faxed, to associate a document with the barcode (page 6.

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lines 1-3) or the computer system can also be arranged to generate documents for facsimile transmission complete with a barcode (page 8, lines 23-26).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of adding a barcode to a cover sheet of Lake into the facsimile transmission of Lloyd and Kara.

The suggestion/motivation for doing so would have been to provide further security means to a document, so that no mix up within the system can occur.

Therefore, it would have been obvious to combine the three references to obtain the invention as specified in claim 4.

- 14. With respect to claim 5, Kara discloses a barcode generator for generating said barcode (col. 4, lines 48-50). Lloyd discloses a barcode generator for generating said barcode (col. 6, lines 21-30).
- 15. With respect to claim 6, Kara discloses a barcode reader for reading said barcode of an incoming fax transmission (scanner 121 in conjunction with processor 120). Lloyd discloses a barcode reader for reading said barcode of an incoming fax transmission (col. 7, lines 17-37).
- 16. With respect to claim 7, the combination of Lloyd and Kara discloses the system wherein said barcode corresponds to an identification number associated with a patient (col. 2, lines 43-44 of Kara & col. 6, lines 21-30 and col. 7, lines 33-37 of Lloyd). Further, Lake teaches utilizing a simple sheet of barcodes and putting one on a cover sheet (page 5, lines 1-6) before being faxed, to associate a document with the barcode (page, lines 1-3) or the computer system can also

be arranged to generate documents for facsimile transmission complete with barcode (page 8, lines 23-26).

- 17. With respect to claim 8, the combination of Lloyd and Kara discloses the system wherein said barcode corresponds to an identification number associated with a patient (col. 2, lines 43-44 of Kara; and col. 7, lines 33-37 and col. 6, lines 21-30 of Lloyd).
- 18. With respect to claim 9, the combination of Lloyd and Kara discloses the system further comprising a storage means having storage locations for storing said information materials; wherein said processor is further configured to store said information materials in a storage location corresponding to said coded information material (co. 5, lines 6-10 of Kara & col. 6, lines 60-63 of Lloyd).
- 19. With respect to claim 10, the combination of Lloyd and Kara discloses the system wherein said storage means comprises an patient authentication data module configured to store said identification numbers of said patients and said corresponding authentication data (col. 2, lines 20-25, lines 43-44 of Kara, and col. 6, lines 60-63 and col. 6, lines 21-30 of Lloyd).
- 20. With respect to claim 11, Kara discloses the system further comprises an encryption module for encrypting said coded information material prior to being stored (col. 4, lines 60-62).

Claims 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Lloyd and Kara as applied to claim 23 above, and further in view of Lake

- 21. With respect to claim 24, arguments analogous to those presented for claim 4, are applicable.
- 22. With respect to claim 25, arguments analogous to those presented for claim 5, are applicable.
- 23. With respect to claim 26, arguments analogous to those presented for claim 6, are applicable.
- 24. With respect to claim 27, arguments analogous to those presented for claim 7, are applicable.
- 25. With respect to claim 28, arguments analogous to those presented for claim 8, are applicable.
- 26. With respect to claim 29, arguments analogous to those presented for claim 9, are applicable.
- 27. With respect to claim 30, arguments analogous to those presented for claim 10, are applicable.
- 28. With respect to claim 31, arguments analogous to those presented for claim 11, are applicable.

Claims 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, Kara, and Lake as applied to claim 11 above, and further in view of Schoenberg U.S. Patent No. 6,463,417.

29. With respect to claims 12 and 15, Lloyd, Kara, and Lake do not explicitly disclose that said encrypted module is configured to store with each of said encrypted information materials a corresponding identification number.

Whereas, Schoenberg discloses many levels of security is possible, (column 5, lines 10-18) through software that encrypts or decrypts as required (column 4, lines 39-42). It would have been obvious to one skilled in the art at the time the invention was made that to allow for encryption or decryption it is implied that there is an encryption information data module.

- 30. With respect to claim 13, Kara teaches that the material may further be encrypted after being coded, and then stored (column 4, lines 60-62), Lake et al. teaches that the information may be encrypted and stored upon incoming. Kara and Lake do not explicitly detail that the storage corresponding to the identification number. Whereas, Schoenberg discloses implicitly that the material has many levels of security (column 5, lines 10-18) corresponding to the particular patient and their identification, therefore it would have been obvious to one skilled in the art at the time the invention was made that the encrypted information is stored with respect to the identification of the patient according to the Schoenberg teachings.
- 31. With respect to claim 14, Lloyd teaches (column 7, lines 33-37) that the system includes security features such as requiring a valid login to include a login name and password. Kara teaches that a user may interface with a computer system thereby browsing the patient's emergency information (column 5, lines 34-40), Lake et al. teaches the use of a password to interface the information (column 8, lines 10-14). Whereas, Schoenberg teaches the use of many levels of security including a double password system as is shown in the table on bottom of column 6.

32. With respect to claim 15, Lloyd teaches (column 13, lines 33-38) that the system includes security features such as requiring a valid login to include a login name and password. Kara discloses that all material can be encrypted for additional security (column 4, lines 60-62), but does not explicitly disclose the ability to decrypt the information. Whereas, Lake discloses the ability to identify the facsimile transmission as confidential and automatically encrypt the information and later decrypt the information; further, it allows the document to be viewed on a visual display unit by an authorized recipient. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to allow for the feature disclosed by Lake in the system disclosed by Lloyd, thereby allowing for viewing only by an authorized recipient.

Claims 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, Kara, and Lake as applied to claim 31 above, and further in view of Schoenberg

- 33. With respect to claim 32, arguments analogous to those presented for claim 12, are applicable.
- 34. With respect to claim 33, arguments analogous to those presented for claim 13, are applicable.
- 35. With respect to claim 34, arguments analogous to those presented for claim 14, are applicable.
- 36. With respect to claim 35, arguments analogous to those presented for claim 15, are applicable.

37. With respect to claim 36, arguments analogous to those presented for claim 16, are applicable.

Claims 17-20 and 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd in view of Kara.

38. With respect to claim 17, Lloyd discloses a system (fig. 2) comprising: a processor (e-mail customization system 220) comprising: means for receiving a facsimile from a facsimile device (client site 210 in fig. 2 & col. 8, lines 60-65); and

means for receiving the facsimile retrieval request, wherein said processor is coupled to said facsimile device via a PSTN, wherein said processor is configured to receive from said facsimile device a transmission of a facsimile image of an original document (signature form) along with a separate facsimile form having a coded information (barcode form) thereon, said coded information used to associate said original document with an account (col. 6, lines 21-30 & col. 8, lines 21-23), wherein said processor is configured to store said facsimile image of said original document in said account associated with said coded information on said separate facsimile form (col. 6, lines 60-63), and, upon a request received via an interactive user device at any time, to transmit said facsimile image of said original document from said account associated with said coded information to the user (col. 16, lines 30-52). Read col. 19, lines 60-63.

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Lloyd, however, does not disclose expressly that the request is received via a telephone to transmit said facsimile image to a user designated facsimile device.

Kara, the same field of endeavor of the secure network transmission, discloses a system (fig. 1, #10) comprising:

a processor (#120) comprising;

means for receiving an image data from a device (#124);

means for receiving a telephone call from a telephone, wherein said processor is coupled to said device and to said telephone (#125) via a public-switched telephone network (#172), wherein said processor is configured to receive from said device a transmission of a code associated information material (#100C), and, upon a request received via said telephone, to transmit said code-associated information material to a user designated facsimile device (col. 5, line 58 – col. 6, line 15), wherein only the authorized user can access the medical information for the security purpose (col. 9, lines 49-52).

Also, read col. 16, lines 44-45 of Lloyd.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the system for requesting an image data retrieval via the telephone of Kara with the facsimile image retrieval system of Lloyd.

The suggestion/motivation for doing so would have been to use the telephony device to request the facsimile image data retrieval when the user does not have the interactive display device.

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Therefore, it would have been obvious to combine Lloyd with Kara to obtain the invention as specified in claim 17.

39. With respect to claim 18, Kara discloses the system wherein said information material is a medical record.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the system for transmitting the medical record taught by Kara with the facsimile image data retrieval system of Lloyd.

The suggestion/motivation for doing so would have been to fax a medical image data to a central storage for a later retrieval by an authorized user.

Therefore, it would have been obvious to combine Lloyd with Kara to obtain the invention as specified in claim 18.

40. With respect to claim 19, Kara discloses the system wherein said coded-information material comprises a medical record having a barcode associated therewith (fig. 1, 100A to 100B; col. 2, lines 43-44; and col. 4, lines 48-50).

Further, read col. 6, lines 21-30 of Lloyd.

- 41. With respect to claim 20, Kara discloses a barcode generator for generating said barcode (col. 4, lines 48-50). Lloyd discloses a barcode generator for generating said barcode (col. 6, lines 21-30).
- 42. With respect to claim 37, arguments analogous to those presented for claim 17, are applicable.
- 43. With respect to claim 38, arguments analogous to those presented for claim 18, are applicable.

- 44. With respect to claim 39, arguments analogous to those presented for claim 19, are applicable.
- 45. With respect to claim 40, arguments analogous to those presented for claim 20, are applicable.

Claims 41-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd in view of Kara, and further in view of Lake.

46. With respect to claim 41, Lloyd discloses a transmission paper for image data (fig. 2), said transmission paper comprising:

a barcode, associated with a user's account, configured to be transmitted along with a user's original image data via a PSTN to a processor, said processor configured to store said user's original image data in said user's account associated with said barcode (col. 6, lines 21-30 & col. 8, lines 21-23); and

user access to information which enables another user to access at any time and display said original image data associated with said user's account via Internet (col. 16, lines 30-52).

Lloyd does not disclose that the image data is a medical record.

Kara, the same field of endeavor of the secure network transmission, discloses a system (fig. 1, #10) comprising:

a processor (#120) comprising;

means for receiving a medical record from a device (#124);

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means for receiving a telephone call from a telephone, wherein said processor is coupled to said device and to said telephone (#125) via a public-switched telephone network (#172), wherein said processor is configured to receive from said device a transmission of a code associated the medical record (#100C), and, upon a request received via said telephone, to transmit said code-associated the medical record to a user designated facsimile device (col. 5, line 58 – col. 6, line 15).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the system for transmitting the medical record taught by Kara with the facsimile image data retrieval system of Lloyd.

The suggestion/motivation for doing so would have been to fax a medical image data to a central storage for a later retrieval by an authorized user.

The combination of Lloyd and Kara discloses the system, but it does not disclose expressly that said code-associated information material comprises a fax cover sheet having said barcode printed thereon.

Lake, the same field of endeavor of the facsimile transmission, teaches utilizing a simple sheet of barcodes and putting one on a cover sheet (page 5, lines 1-6) before being faxed, to associate a document with the barcode (page 6, lines 1-3) or the computer system can also be arranged to generate documents for facsimile transmission complete with a barcode (page 8, lines 23-26).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the method of adding a barcode to a cover sheet of Lake into the facsimile transmission of Lloyd and Kara.

The suggestion/motivation for doing so would have been to provide further security means to a document, so that no mix up within the system can occur.

Therefore, it would have been obvious to combine the three references to obtain the invention as specified in claim 41.

- 47. With respect to claim 42, Lloyd discloses the payment information of the user (fig. 6e).
- 48. With respect to claim 43, Lloyd discloses that said user access information is removable (co. 14, lines 39-59).
- 49. With respect to claim 44, Lloyd discloses that said information comprises an identification number or name, a password and an access code (col. 7, lines 33-37).
- 50. With respect to claim 45, Kara discloses that a doctor or medical professional to access the patient information (col. 5, lines 35-40). Since it is performed in a secure environment, authorizing the doctor to access the medical information from the central server is an obvious step to one of ordinary skill in the art.
- 51. With respect to claim 46, Kara discloses that a doctor or medical professional to access the medical information (col. 5, lines 35-40).
- 52. With respect to claim 47, Lloyd discloses that the user access information further comprises a password (col. 7, lines 33-37).
- 53. With respect to claim 48, Lloyd discloses that the user can edit the image data (col. 20, lines 50-64).

- 54. With respect to claim 49, Lloyd discloses that said user information is covered until said apparatus is used by the user (col.7, lines 33-37). Since the password system prohibits others from accessing the image data, it is covered (protected) until the user enters the access code or password.
- 55. With respect to claim 50, Lake discloses a fax coversheet with coded information, which allows for which allows for barcoded information to be in the form of a peel-off sheet or label (column 8, lines 23-26). Therefore, it would have been obvious to one skilled in the art at the time the inventions was made to include label of Lake et al. in the system disclosed by Kara thereby allowing a fax coversheet with an added security feature, which can be scratched off or removed from the facsimile sheet if required.

Conclusion

56. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chan S. Park Examiner Art Unit 2622

csp April 14, 2005

SUPERIOR OF THE SECOND